

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

**ORDER ADOPTING RULE 64
OF THE
SUPERIOR COURT CRIMINAL RULES OF PROCEDURE**

This 22nd day of August, 2003, **IT IS ORDERED** that:

(1) The Superior Court Criminal Rules are amended by adding a new Criminal Rule 64 as follows:

Rule 64. Electronic Filing.

- (a) The electronic filing of documents in the Superior Court of the State of Delaware shall be referred to as “eFile” or “eFiling”.
- (b) When the President Judge of the Superior Court determines that it is appropriate for any criminal case, or category of cases, to follow the procedures for eFiling, the President Judge shall designate it as an eFile case or category of cases.
- (c) The President Judge shall establish administrative procedures for the eFiling of documents.
- (d) No Delaware lawyer shall authorize anyone to eFile on that lawyer’s behalf, other than an employee of his/her law firm or service provider retained to assist in eFiling.
- (e) No person shall utilize, or allow another person to utilize, the password of another in connection with any eFiling.
- (f) The eFiling of a document by a lawyer, or by another under the authorization of a lawyer, shall constitute a signature of that lawyer.
- (g) All eFilings must be signed by a member of the Delaware Bar or party not represented by an attorney in accordance with the eFile administrative procedures.
- (h) Unless otherwise ordered, the electronic service of a document, in accordance with the eFile administrative procedures, shall be considered service under Superior Court Criminal Rule 49.

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- (2) This amendment shall be effective September 1, 2003.
- (3) An original of this Order shall be filed with the Prothonotary for each county.